



# PLANNING COMMISSION SYNOPSIS

January 8, 2015

## CALL TO ORDER

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Chairperson Nordstrom called the Planning Commission meeting to order at 6:00 p.m. in the City Council Chambers of the Bloomington Civic Plaza.

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**COMMISSIONERS PRESENT:** Nordstrom, Willette, Spiess, Fischer, Bennett, Goodrum

**COMMISSIONERS ABSENT:** Batterson

**STAFF PRESENT:** Markegard, Fields, Centinario, Schmidt, Hiller

Chairperson Nordstrom led the attendees in the reciting of *The Pledge of Allegiance*.

## ITEM 1

6:02 p.m.

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<b>CASE:</b>	10321AB-14
<b>APPLICANT:</b>	State of Minnesota (owner) Hennepin County (user)
<b>LOCATION:</b>	8941 Portland Avenue
<b>REQUEST:</b>	1) Conditional Use Permit for a residential treatment facility; and 2) Variance to allow use of an existing detached structure for trash collection and storage

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## SPEAKING FOR THE APPLICANT:

Michael Noonan, Senior Administrative Manager, Real Estate Division, Hennepin County

DeDe Van Slyke, Treatment Director, Touchstone Residential Treatment

Khu Thau, Sr. Director of Clinic Operations, Touchstone Mental Health

Mike Herzing, Program Manager, Hennepin County

**SPEAKING FROM THE PUBLIC:**

Bryan Edwards (8909 Portland Avenue)

**PUBLIC HEARING DISCUSSION:**

Fields identified the location, the surrounding land uses, and the zoning for the parcel. He explained the property currently has two existing buildings, a three-story, 12,600 square foot residential building and a 3,200 square foot detached garage structure providing ten enclosed parking spaces.

Fields summarized the history of the parcel. He stated a 12-unit apartment building was approved in 1962 and operated as such for approximately 29 years. He noted in 1997, the City Council approved a Conditional Use Permit for a residential treatment facility for the Anoka Metro Regional Treatment Center, which is similar to the proposal tonight. He explained the 16-bed residential treatment center was operated by the State of Minnesota from 1997 through 2005 and the building has been vacant since 2005; and the 1997 Conditional Use Permit has expired. He noted the State of Minnesota currently owns the site, and the property is being proposed to be leased by Hennepin County.

Fields stated Hennepin County is requesting a new Conditional Use Permit to operate an Intensive Residential Treatment Services Program. The applicant is also requesting a variance to allow the existing detached garage structure to be used for trash collection and storage. He explained the programs would serve up to 16 mentally ill adults who are eligible to be discharged from the State hospital system, but require support while transitioning into other community-based housing. He noted these clients are recovering from a mental illness and are not registered sex offenders. Fields stated the property is zoned R-4, Multiple Family Residential where licensed residential facilities serving seven or more people, are a conditional use.

Fields displayed the site plan. He explained the applicant is not proposing significant exterior changes beyond a 6 foot privacy fence on the north side of the residential structure to create an enclosed outdoor space for the residents, and installation of bike racks on the northeast side of the building. He noted in addition to the 10 garage spaces, there is an existing surface lot with 11 parking spaces, for a total of 21 parking spaces onsite.

Fields explained a landscaping plan has been submitted showing 14 trees and 35 shrubs, which meets code requirements. He displayed the floor plans for the three story existing structure. The ground floor, lookout level, consists of offices, nursing station, conference room, activity room, laundry, kitchen, and dining area. An existing elevator near the main entrance provides handicapped access. The second and third floors have a similar configuration with have 8 bedrooms each, smaller kitchen areas, an office on each floor, a group room, and an activity room.

Fields displayed a photo showing the existing trash enclosure and identified its current location. He explained the applicant is requesting a variance to allow the use of a garage stall in the detached garage for trash collection and storage. He explained the site has an existing fenced trash enclosure, which was permitted in 1997. He noted that new Conditional Use Permits must comply with all current applicable standards, including trash collection and storage. Multiple family residential, Code

City of Bloomington

currently requires refuse to be stored within a fully enclosed space attached to the principal structure. He explained the attachment requirement is intended to minimize the distance between the principal structure and where the refuse is collected. Fields stated to meet Code, a new enclosure would need to be built attached to the principal structure. He explained there are limited options for locating an accessible addition that meets Code. A building addition on the south or west sides would not meet the current 50 foot setback requirement. An addition on the east would block access, both to the building and parking lot by reducing the drive isle width. An addition to the north would reduce the outdoor recreation area, and an addition on any side would obstruct windows that provide light and egress from the building. He explained, that none of the possible addition locations would add an access from inside the building. Fields stated that although interior access is not a requirement, this means the trash needs to be taken outside to be disposed of. He noted the proposed residential facility has a common commercial kitchen and dining area; and a staff member would be responsible for transporting trash to the storage area in the detached garage, which is approximately 30 feet from the principal building.

Fields explained the applicant has held several public meetings with the surrounding property owners and noted the applicant is present and available for questions regarding the public meetings. He added one piece of written correspondence has been received and has been distributed to the Commission as part of their materials.

Fields stated staff is recommending approval of a Conditional Use Permit for a residential treatment facility and a variance to allow use of an existing detached structure for trash collection and storage at 8941 Portland Avenue subject to the conditions of approval and Code requirements listed in the staff report. Fields stated he is available for questions or comments from the Commission.

Noonan introduced himself and stated the staff report has done a great job of explaining the application requests. He stated they have read and agree to the conditions of approval and the Code requirements listed in the staff report and look forward to receiving approval from the City and moving forward with the project. He explained opening and operating this facility will be providing a much needed treatment for individuals who are currently institutionalized and are being transitioned back into society using Intensive Residential Treatment Services (IRTS).

Fischer asked how many staff will be on site and will they be on site 24 hours a day. Noonan stated there will be three staff shifts: daytime shift of 14 staff, a dinner shift of seven staff, and an overnight shift of three or four staff. Noonan added the overnight staffers will be actively working. Fisher asked how much freedom the residents will have. Noonan explained the previously run State program was liberally run and gave wide latitude of freedom to the residents. He explained the IRTS program is highly structured and teaches the residents how to cope with their mental illness so the residents can reenter the general community. Noonan stated the residents will have to earn any free time and will be kept busy with the IRTS program.

Goodrum asked if the residents will be allowed to smoke on the sidewalks or if the residents will be restricted to the fenced in area on the north side of the residence building. Noonan stated the fenced in area is designed to be a gathering area for the residents which was not provided in the previous State run use. Goodrum asked for a brief synopsis of the neighborhood meetings that have been held. Noonan stated they have had three meetings, two with the general neighborhood and one that was held at Valley View Middle School. He clarified the meeting held at the school was held jointly by Hennepin County

and Valley View Middle School. Noonan explained the citizen concerns and uncertainty expressed at the first meeting and a lot of time was devoted to explaining the differences between the State run program and the IRTS program. He explained more specific information regarding the IRTS program, the types of mentally ill residents, and the operations of Touchstone was given to the attendees. Noonan explained for the third meeting, invitations were sent out to all parents of students attending Valley View Middle School, and about 20 individuals attended the meeting. Attendees of the third meeting asked questions and were provided answers to the nature of the residents and the treatment program. Noonan stated the attendees continued to express concerns. Noonan explained the message they tried to express to the attendees was the IRTS program is highly structured and management intensive which is completely different from the State run program which operated there previously. He stated he assured the attendees and the community the IRTS program will be significantly better. He stated they promise to establish proactive, regular engagement with the neighborhood and the community so that a dialogue can be established which will enable the neighborhood and the facility to address concerns.

Spieß asked what kind of visitation is allowed at the facility. DeDe Van Slyke stated visitation is allowed and is scheduled during non-program treatment times. Residents can be issued passes to be off-premises with family and friends. Meetings are scheduled before and after visitations to review how the visitation went. Spieß asked Van Slyke to comment on the existing parking at the facility and whether it is adequate or not. Van Slyke stated the parking in the lot is ample and she does not foresee parking issues.

Willette asked if the bicycle racks will be for residents as well as staff and visitors. Noonan stated the bicycle racks may be used by residents as well as staff. He added that most residents will not have bicycles as they normally do not have many possessions as they have been institutionalized. Any resident use of a bicycle would need to be approved by staff and be properly supervised.

Fischer asked why the facility was empty for so long. Noonan stated he believes the State program changed and the State was undecided on what to do with the property. Fischer what is the nature of the resident mental illness and the treatment. Khu Thau explained most clients come from a hospital where they have been treated for depression, schizophrenia, and/or anxiety issues or some other severe persistent mental illness. Fischer asked if some of the residents are court ordered. Thau stated most are not, but some may be. Fischer asked what if they run. Thau stated they have good relationships with the Police, hospitals and the families of the residents and all would be notified immediately to make sure they are found and are safe. Fisher asked if a resident who has run would be accepted back. Thau stated the resident would be reevaluated and placed in a facility that could best meet their individual needs.

Bennett asked for clarification on how the today's IRTS license through Rule 36 is different than from the past. Mike Herzing explained that around the time the State run facility at this location closed down, a variance to Rule 36 was granted which created the IRTS program and licensure. He stated the IRTS resident, on average, is about 90 days and is intended to be intensive and temporary.

Bryan Edwards (8909 Portland Avenue) stated he attended the neighborhood meetings and is concerned about the proposed use. He stated there is inconsistency and confusion regarding who owns the property now and who will own the property in the future. He stated Hennepin County does not allow smoking their property. He stated he is concerned that the use is adjacent to a school and playground where children play and are influenceable. He stated 80 percent of these bipolar/schizophrenic people are chain smokers and upwards of 50 percent are hard care drug users. He stated he was told at one of the neighborhood meetings, the residents will not be supervised at all times and it was also said this evening and that these residents will be issued unsupervised passes. He added, when this use was being operated at this location in the past, there were drug deals going down on the corner of 90<sup>th</sup> and Portland

Avenue on a regular basis. He stated these residents will be self-medicated and what happens if a resident decides they feel good that day and don't take their medication and are out on the corner calling their drug dealer? Are they a threat to society? What kind of assurance can the community have that the same horrible conditions will not happen and become commonplace under this IRTS use? He stated he called the police many times when the property was being run by the State. He questioned why it seems to be a foregone conclusion that this use will be approved. Edwards stated it was his idea that all the students be sent a notice of this proposed use and be invited to the meeting at the school, not the applicant. Edwards noted he believes many of his neighbors are elderly and are likely not here to voice their concerns due to the weather conditions.

Nordstrom asked staff to comment on some of the questions raised by Edwards. Fields stated the City has notification requirements and the requirements were followed. He added that it would be up to the school if they wanted to do additional noticing, but it is not a requirement by the City. Fields stated the neighborhood meetings arranged by the applicant are not legally required, but was suggested to the applicant by the City. Nordstrom asked if the applicant would like to address some of the questions and concerns raised by Edwards. Van Slyke stated the IRTS program is a program for mentally ill clients and is not a drug treatment facility and is highly monitored. She clarified that 24-hour passes are not issued (unless for family emergencies) and no overnight period as they are responsible for the client's safety. She explained that passes are reduced if the client is not following the IRTS program.

The public hearing was closed via a motion.

Fisher asked staff if there is a process to revoke a Conditional Use Permit (CUP) if the conditions of approval are not being met or if there is a problem in the neighborhood attributable to the use. Fields stated if there is a direct violation of any of the conditions of approval, the City Council could revisit the issuance of the CUP and, if necessary, revoke the CUP.

Goodrum suggested the Commission consider the addition of a condition requiring the applicant participate in an outreach program of some sort with the neighborhood. He asked the other Commissioners to comment. Goodrum expressed concern regarding parking on the site at the times staff is turning over. He commented that although the weather is not inviting, the notice of public hearing was given to all required and that those choosing to comment have the opportunity to do so in person, by telephone, by attending the public hearing, or sending written correspondence.

Spiess agreed with Goodrum's comments. She stated she still has some concern regarding the parking on the site, the location of the facility on two very busy streets and in close proximity to school children, school busses, and the library right down the street, but believes the applicant has done a very good job of addressing the prior problems from when the State run facility was operating at the location. She explained there needs to be a level of trust that the applicant will engage with the public and the applicant has already had three meetings with the neighborhood. Spiess noted facilities like this are necessary for individuals with mental health issues and expressed support for the facility with the reservation regarding the parking. She stated she would also be in support of adding a condition to ensure there would be some sort of ongoing outreach with the neighborhood to ensure the neighborhood does not have to endure the same types of problems that came about from the former operator.

Nordstrom stated these items will be heard at the January 26, 2015 City Council meeting.

**ACTIONS OF THE COMMISSION:**

**M/Spiess, S/Willette:** To close the public hearing. Motion carried 6-0.

**M/Goodrum, S/Spiess:** Having been able to make the required findings, in Case 10321A-14, I move to recommend approval of a Conditional Use Permit for a residential treatment facility at 8941 Portland Avenue subject to the conditions of approval and Code requirements listed in the staff report and with an added condition of approval listed as condition number nine regarding ongoing outreach to the neighborhood. Motion carried 5-1. (Fischer voting against)

**M/Goodrum, S/Spiess:** Having been able to make the required findings, in Case 10321B-14, I move to recommend approval of a variance to allow use of an existing detached structure for trash collection and storage at 8941 Portland Avenue subject to the conditions of approval and Code requirements listed in the staff report. Motion carried 5-1. (Fischer voting against)

**CONDITIONS OF APPROVAL RECOMMENDED BY THE COMMISSION:**

The Conditional Use Permit for residential treatment facility located at 8941 Portland Avenue (Case 10321A-14) is subject to the following conditions of approval:

1. A revised site development agreement, including all conditions of approval, must be executed by the applicant and the City and must be properly recorded by the applicant with proof of recording provided to the Director of Community Development;
2. Use of the facility be limited to services and living accommodations for residents of the building unless additional uses allowed in the zoning district are approved by the City Council;
3. Total number of residents be limited to 16;
4. Building security system including entry control and intercom system, exterior and interior camera monitoring, and central office visual access to entrance area be approved by the Bloomington Police Department and maintained during the use of the residence;
5. Resident population will be limited to individuals with a primary diagnosis of mental illness who have been screened to be low risk for harm to themselves or others with this level of service in place, and who need a 24-hour supervised, monitored and focused treatment approach to improve functioning and avoid relapse. The population will not be limited to persons coming from hospital settings, but could include persons already living in the community but experiencing a relapse in symptoms;
6. Residence be staffed on a 24 hour, seven day a week basis with a minimum staffing component identified in an operations plan to be reviewed and placed on file by the Director of Community Development.
7. Sewer Availability Charges (SAC) must be satisfied if applicable; and
8. All pickup, drop-off, loading and unloading occur on site and off of public streets.
9. The applicant must prepare and implement an ongoing outreach program with the neighborhood to establish communications and address neighborhood concerns.

And, while the use and improvements must comply with all applicable local, state and federal codes, the applicant should pay particular attention to the following Code requirements:

- 1) Landscape plan must be approved by the Planning Manager (Sec 19.52);
- 2) Parking lot and site security lighting must satisfy the requirements of Section 21.301.07 of the City Code; and
- 3) Sign Design must be in conformance with the requirements of Chapter 19, Article X of the City Code.

The variance to allow a portion of an existing detached structure to be used for trash collection and storage located at 8941 Portland Avenue South (Case 10321B-14) is subject to the following condition of approval:

- 1) The variance is limited to the trash collection and storage area as shown on approved plans in Case 10321B-14.

**ITEM 2**

6:48 p.m.

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<b>CASE:</b>	9566B-14
<b>APPLICANT:</b>	2000 West 98 <sup>th</sup> LLC (owner) Richfield Gymnastics Club (user)
<b>LOCATION:</b>	2000 West 98 <sup>th</sup> Street
<b>REQUEST:</b>	Conditional Use Permit for an athletic training facility in an existing office/warehouse building

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**PUBLIC HEARING DISCUSSION:**

Centinario identified the parcel location, surrounding land uses, and explained an athletic training facility is a conditional use in the I-2 Zoning District. He reminded the Commission of a recent approval for a lacrosse training facility in this same location a few weeks ago.

Centinario displayed a floor plan provided by the applicant. He explained the site has adequate parking for the current tenant mix and suggests a condition limiting the number of attendees for this use with the potential for increasing the number of participants in the future with Planning Manager approval (see condition number four below).

Centinario stated staff is recommending approval of the resolution attached to the staff report subject to the conditions and Code requirements listed in the staff report. He stated he is available for questions and comments from the Commission.

The public hearing was closed via a motion.

Spiess stated she believes this is a good use of the property and was encouraged to see another athletic training facility for the youth in the community. She stated she is in support of the request.

Nordstrom stated the Planning Commission decision on this item is final unless a written appeal is received by the Planning Division by 4:30 p.m. on January 13, 2015.

**ACTIONS OF THE COMMISSION:**

**M/Spiess, S/Willette:** To close the public hearing. Motion carried 6-0.

**M/Spiess, S/Bennett:** Having been able to make the required findings in Case 9566B-14, I move to adopt a resolution for a Conditional Use Permit for an athletic training facility at 2000 West 98<sup>th</sup> Street subject to the conditions of approval and Code requirements listed in the staff report. Motion carried 6-0.



**CONDITIONS APPROVED BY THE COMMISSION:**

The Conditional Use Permit for an athletic training facility at 2000 West 98<sup>th</sup> Street (Case 9566B-14) is subject to the following conditions:

- 1) The athletic training facility be limited to the 12,605 square feet of gymnastics training space, viewing room, and office space as identified in the plans submitted for Case 9566B-14;
- 2) Hours of operation of 8 AM to 8:30 PM may not be extended without approval by the Planning Manager;
- 3) No outdoor activities related to the gymnastics facility are permitted;
- 4) The total number of athletes on site may not exceed 50 at any time, unless approved by the Planning Manager;
- 5) A building permit for all required changes to accommodate the proposed use be obtained;
- 6) Sewer Availability Charges (SAC) must be satisfied;
- 7) The use must be for instruction only with no on-site competitions;

and, while the use and improvements must comply with all applicable local, state and federal codes, the applicant should pay particular attention to the following Code requirements:

- 1) Any business signage be in accordance with the Uniform Sign Design (Sec. 19.109); and
- 2) Parking lot and site security lighting must satisfy the requirements of Section 21.301.07 of the City Code.

**ITEM 3**

6:55 p.m.

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<b>CASE:</b>	10867A-14
<b>APPLICANT:</b>	The Luther Company, LLLP (owner)
<b>LOCATION:</b>	8860 and 8870 Wentworth Avenue
<b>REQUEST:</b>	Interim Use Permit for exterior storage of motor vehicles

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**SPEAKING FOR THE APPLICANT:**

Steve Sabraski, The Luther Company, LLP

**PUBLIC HEARING DISCUSSION:**

Centinario identified the location, surrounding land uses, and the zoning for the site. He displayed slides depicting the existing conditions of the parcels which include a concrete building and mostly open land which Luther would use for new car open storage. Centinario explained the parcel immediately to the north is also currently being used by Luther for new car storage through the use of a Interim Use Permit (IUP) that was approved in May 2014. A six-foot wood fence surrounds the parcels today and will remain to help screen the storage area.

Centinario displayed a site plan for the combined parcels (including the parcel to the north). The two lots would store approximately 158 vehicles. He noted a gated access connecting the lot to the north is being proposed to allow vehicles to move between the two storage areas. A truck maneuvering slide was displayed documenting emergency vehicle are able to maneuver on the site. He added that staff is recommending striking conditions number two listed in the staff report. He explained that striking the conditions would allow the IUP request to expire at the same time as the IUP already in place on the parcel to the north (May 19, 2018).

Centinario stated staff is recommending approval of an Interim Use Permit for exterior storage of motor vehicles at 8860 and 8870 Wentworth Avenue subject to the revised conditions. Centinario stated he is available for questions or comments from the Commission and the applicant is also available for questions after they make their presentation.

Steve Sabraski introduced himself and explained this use is necessary for Luther during their active construction season and project. He stated they are agreeable to the change of condition as presented by staff and stated he is available for questions and comments from the Commission.

Goodrum asked if the fence/gate shown in the staff presentation will be repaired or replaced as part of this application. Sabraski stated the gate will be repaired or replaced to provide security for the site.

Willette asked Sabraski what type of night security will be in place. Sabraski stated LED motion lighting will be installed matching what has been installed on the lot to the north.

The public hearing was closed via a motion.

Spiess stated the need for this use is understandable and supports the applicant request.

Nordstrom stated this item will be heard at the January 26, 2015 City Council meeting.

**ACTIONS OF THE COMMISSION:**

**M/Spiess, S/Willette:** To close the public hearing. Motion carried 6-0.

**M/Fischer, S/Spiess:** In Case 10867A-14, having been able to make the required findings, I move to recommend approval of an Interim Use Permit for the open storage of motor vehicles at 8860 and 8870 Wentworth Avenue subject to the 9 conditions of approval as revised. Motion carried 6-0.

**CONDITIONS OF APPROVAL RECOMMENDED BY THE COMMISSION:**

In Case 10867A-14, approval of an Interim Use Permit to expire on May 19, 2018 for the open storage of motor vehicles at 8860 and 8870 Wentworth Avenue South is subject to the following conditions:

- 1) The open storage is limited to the storage areas depicted on the site plan in Case File 10867A-14;
- 2) Any physical changes to the site must follow the relevant approval process outlined in the City Code;
- 3) Motor vehicles must be parked at all times in a manner that allows adequate Fire Department access;
- 4) All motor vehicle deliveries must occur between 7 am and 7 pm Monday through Saturday;
- 5) Prior to storage of motor vehicles on site, the applicant must supply a copy of a recorded cross-access easement between 8860, 8870, and 8824 Wentworth Avenue South;
- 6) Prior to storage of motor vehicles on site, the applicant must review security measures with the Police Department;
- 7) Any mud and/or tracking from vehicles going from unpaved to paved areas that drain to the storm sewer must be swept within 24 hours;
- 8) The unpaved portions of the parking surface must be brought into compliance with City Codes for parking surfaces in conjunction with establishment of a permanent use on the site or in conjunction with any future interim use permit application; and
- 9) All parked motor vehicles must be kept within the designated storage areas in a neat and orderly manner and the area itself must be properly maintained.

**ITEM 4**

7:04 p.m.

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<b>CASE:</b>	6717A-15
<b>APPLICANTS:</b>	MOAC Land Holdings, LLC (owner)
	MOAC Mall Holdings, LLC (owner)
	North Pad Development LLC (owner)
	South Pad Hoel, LLC (owner)
	Ikea Property, Inc. (owner)
<b>LOCATIONS:</b>	7900 and 8000 24 <sup>th</sup> Avenue
	8100 24 <sup>th</sup> Avenue
	2101 Lindau Lane
	2100 Killebrew Drive
	8000 Ikea Way
<b>REQUEST:</b>	Interim Use Permit for 2015 Special Event Series

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**PUBLIC HEARING DISCUSSION:**

Fields explained the applicants have requested continuance of the item to the January 22, 2015 Planning Commission meeting. Fields stated staff supports the continuance request.

**ACTIONS OF THE COMMISSION:**

**M/Fischer, S/Goodrum** At the request of the applicant, I move to continue Case 6717A-15 to the January 22, 2015 Planning Commission meeting. Motion carried 6-0.

**ITEM 5***7:05 p.m.*

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<b>CASE:</b>	9628AB-15
<b>APPLICANT:</b>	Delta Metro Investments, LLC (owner)
<b>LOCATION:</b>	8200 28 <sup>th</sup> Avenue and 8201 24 <sup>th</sup> Avenue
<b>REQUEST:</b>	1) Interim Use Permit for 2015 Special Event Series; and 2) Five –year Interim Use Permit for overflow parking in the CO-2 Zoning District

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**PUBLIC HEARING DISCUSSION:**

Fields explained the applicant is requesting continuance of Case 9628AB-15 to the January 22, 2015 Planning Commission meeting. Fields stated staff is in support of the continuance request.

**ACTIONS OF THE COMMISSION:**

**M/Fischer, S/Goodrum:** At the request of the applicant, I move to continue Case 9628AB-15 to the January 22, 2015 Planning Commission meeting. Motion carried 6-0.

**ITEM 6**

7:06 p.m.

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<b>CASE:</b>	8235G-14
<b>APPLICANT:</b>	MOAC Mall Holdings, LLC (owner)
<b>LOCATION:</b>	8100 24 <sup>th</sup> Avenue
<b>REQUEST:</b>	Master Sign Plan

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**SPEAKING FOR THE APPLICANT:**

Bill Griffith, representing MOAC Mall Holdings, LLC

**PUBLIC HEARING DISCUSSION:**

Schmidt explained that in November of 2014 amendments to the sign Code at the Mall of America (MOA) property (Class VI sign district - CX-2 and CO-2) were approved by City Council. A part of that approval was the creation of a Master Sign Plan process. The MOA has now created and submitted to the City for review a Master Sign Plan for Phase IC of the MOA property.

Schmidt stated the Master Sign Plan process allows for discretionary flexibility to Code standards for the number, type, size and location of signs on the Phase IC site. The sign approval must meet the design principles which include principles related to balance, character, architectural integration, materials, public safety, and visual impacts. Schmidt stated overall the Master Sign Plan submitted is meeting all of these design principles as well as the required findings. Schmidt displayed drawings provided by the applicant of the north, south, east and west elevations depicting the elements of the proposed design principles.

Schmidt stated the Master Sign Plan will be governed by a Master Sign Plan Development Agreement. The agreement will oversee the quality, duration, operation and maintenance of the signs in accordance with the conditions of approvals placed on the Master Sign Plan. Schmidt explained, if the Master Sign Plan is approved, all the signs being proposed are required to receive administrative permit review. Staff will be reviewing for conformance with the Master Sign Plan and other City Codes.

Schmidt stated staff is recommending approval of the Master Sign Plan subject to the conditions and Code requirements listed in the staff report. He stated he is available for questions and comments from the Commission.

Griffith introduced himself and stated he represents the applicant and him and his team are available for questions from the Commission.

The public hearing was closed via a motion.

Fisher stated he is happy to see this last step of a long sign revision process coming to a conclusion.

Spiess stated she is excited to see the new and vibrant signs once Phase IC of the MOA is completed and added that she appreciates the development in Bloomington.

Goodrum echoed the comments made by Spiess and added the elevation renderings depict beautiful buildings and vibrant signs. He commended staff and the applicant for working together.

Nordstrom stated this item will be heard at the January 26, 2015 City Council meeting.

#### **ACTIONS OF THE COMMISSION:**

**M/Spiess, S/Fischer:** To close the public hearing. Motion carried 6-0.

**M/Spiess, S/Willette:** Having been able to make the required findings, in Case 8235G-14 I move to recommend approval of the Master Sign subject to the conditions of approval and Code requirements listed in the staff report. Motion carried 6-0.

#### **CONDITIONS OF APPROVAL RECOMMENDED BY THE COMMISSION:**

The Master Sign Plan is subject to the following conditions and Code requirements being satisfied prior to the issuance of permits:

- 1) A master sign development agreement, including all conditions of approval, shall be executed by the applicant and the City and shall be properly recorded by the applicant with proof of recording provided to the Director of Community Development;
- 2) Signs must be limited to the type, function, location and maximum size described in the approved Master Sign Plan and accompanying table in Case 8235G-14;
- 3) Signs must be made of durable, weather resistant material to withstand the exposure to the elements;
- 4) Major revisions to this Master Sign Plan shall be subject to the requirements of Section 21.501.06;
- 5) Sign construction and installation must be consistent with the manufacture standards;

and, while the use and improvements must comply with all applicable local, state, and federal codes, the applicant should pay particular attention to the following Code requirements:

- 1) Signs must not exceed the maximum luminance levels (Sec. 19.108(h) and Sec. 21.301.07(c)(5)); and
- 2) Sign permits, unless exempted through Section 19.105, are required prior to installation of the signs.

**ITEM 7**

7:15 p.m.

<b>APPLICANT:</b>	City of Bloomington
<b>LOCATION:</b>	N/A
<b>REQUEST:</b>	Consider approval of draft Planning Commission meeting synopses: <ul style="list-style-type: none"><li>• 11/20/14</li><li>• 12/04/14</li></ul>

**ACTIONS OF THE COMMISSION:**

**M/Spiess, S/Willette:** I move to approve the synopsis of the November 20, 2014 Planning Commission meeting as presented. Motion carried 4-0. (Nordstrom, Bennett absent at that meeting)

**M/Spiess, S/Willette:** I move to approve the synopsis of the December 4, 2014 Planning Commission meeting as presented. Motion carried 6-0. (all present at that meeting)

The meeting adjourned at 7:17 p.m.

**Prepared By:** MH **Reviewed By:** GM, DF, MC, JS

**Approved By Planning Commission:** 2/19/15

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City of Bloomington

Planning Commission Synopsis

January 8, 2015